



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.edcgov.us/bos/

Legislation Details (With Text)

File #: 21-0043 **Version:** 1
Type: Agenda Item **Status:** Approved
File created: 12/31/2020 **In control:** Board of Supervisors
On agenda: 2/9/2021 **Final action:** 2/9/2021
Title: Chief Administrative Office, Facilities Division, recommending the Board:
1) Authorize the transfer of unspent funds in the Courthouse Construction Fund to the State Court Facilities Construction Fund; and
2) Approve and authorize a budget transfer appropriating the current cash balance plus estimated interest earned in the amount of \$299,500 for payment to the State. (4/5 vote required)

FUNDING: Courthouse Construction Fund.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - BT1-0640-123120-JA-CCF Return, 2. B - RES 290-90, 3. Executed Budget Transfer

Date	Ver.	Action By	Action	Result
2/9/2021	1	Board of Supervisors	Approved	Pass

Chief Administrative Office, Facilities Division, recommending the Board:
1) Authorize the transfer of unspent funds in the Courthouse Construction Fund to the State Court Facilities Construction Fund; and
2) Approve and authorize a budget transfer appropriating the current cash balance plus estimated interest earned in the amount of \$299,500 for payment to the State. (4/5 vote required)

FUNDING: Courthouse Construction Fund.

DISCUSSION / BACKGROUND

The El Dorado County Courthouse Construction Fund was established by Resolution 290-90 in September 1990, and was funded by a surcharge or assessment of \$2 per every \$10 for fines and penalties imposed by El Dorado County courts. The funds were dedicated to the maintenance of adequate court facilities in the County.

In 2008, responsibility for court facilities within the County transferred to the State (08-1441). At that point, several facilities projects were identified to be completed by the County using Courthouse Construction Funds.

California Government Code section 70402 requires that any amount in a county's courthouse construction fund be transferred to the State Court Facilities Construction Fund upon final payment of any bonded indebtedness for a court facility. As the County has no further obligations regarding the court facilities transferred to State responsibility, the funds in the Courthouse Construction Fund are now required to be transferred to the State. A partial return of the funds was completed in 2018 in response to an audit by the State Controller's Office, with Legistar item 18-0989, and collections of revenue ceased at that time. There was still one outstanding project that has now been completed. The current recommendation is to approve the return of the remaining funds on hand and final

closure of the fund.

ALTERNATIVES

No alternatives have been identified.

PRIOR BOARD ACTION

See above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

There is no financial impact, as the funds recommended for return to the state are no longer eligible for County use.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Obtain Chair's signature on budget transfer and forward to Chief Administrative Office for processing.

STRATEGIC PLAN COMPONENT

Good Governance.

CONTACT

Laura Schwartz, Deputy Chief Administrative Officer